

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare:

THAT my residence, post office address and citizenship are as stated below next to my name;

THAT I verily believe I am the original, first and sole (if only one name is listed below) or a joint (if plural names are listed below) inventor of the invention entitled: ELECTROCHROMIC LAYER AND DEVICES COMPRISING SAME of which the specification:

☒ is attached hereto;

☐ was filed on \_\_\_\_\_;

☐ is amended in the attached Amendment;

THAT I do not know and do not believe that this invention was ever known or used in the United States of America before my or our invention or discovery thereof, or patented or described in any printed publication in any country before my or our invention or discovery thereof, or more than one year prior to the date of this application;

THAT the invention was not in public use or on sale in the United States of America for more than one year prior to the date of this application;

THAT this invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months before the date of this application;

THAT I have reviewed and understand to the best of my ability the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above;

THAT I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with 37 Code of Federal Regulations Sec. 1.56;

THAT I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States Applications(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, S 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Serial No.  
Status:

Filing Date:

And I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Brian J. Rees, Registration No. 36,648; William J. Scanlon, Registration No. 30,136.

10085434-022802

Direct all correspondence and telephone calls to: Brian J. Rees,  
Gentex Corporation, 600 North Centennial, Zeeland, MI 49464, (616) 772-  
1800 ext. 365, or facsimile transmission no. (616) 772-7343.

I declare further that all statements made herein of my own knowledge  
are true and that all statements made on information and belief are  
believed to be true; and further that these statements were made with the  
knowledge that willful false statements and the like so made are punishable  
by fine or imprisonment, or both, under Section 1001 of Title 18 of the  
United States Code and that such willful false statements may jeopardize  
the validity of the application or any patent issuing thereon.

Inventor's Signature William L. Tonar

Date 3/15/96

Inventor's Name (typed) William L. Tonar

First Middle Initial Family Name

Citizenship USA

Residence (City) Holland

(State/Foreign Country) Michigan

Post Office Address 40 Schevenne (Zip Code) 49424

[X] Additional sheet(s) attached respecting additional inventors.

Inventor's Signature Harlan J. Byker

Date 3/15/96

Inventor's Name (typed) Harlan J. Byker

First Middle Initial Family Name

Citizenship USA

Residence (City) Holland

(State/Foreign Country) Michigan

Post Office Address 1210 Birdie Lane (Zip Code) 49423

200220-45452001

Inventor's Signature

*Kathy E. Siegrist*

Date

*3/15/96*

Inventor's Name (typed)

Kathy

E.

Siegrist

First

Middle Initial

Family Name

Citizenship

USA

Residence (City)

Grand Rapids

(State/Foreign Country)

Michigan

Post Office Address

265 Morris Ave. SE

(Zip Code)

49503

Inventor's Signature

*John S. Anderson*

Date

*3/15/96*

Inventor's Name (typed)

John

S.

Anderson

First

Middle Initial

Family Name

Citizenship

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Residence (City)

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Post Office Address

529 136th Street, Apt. 12

(Zip Code)

49424

Inventor's Signature

*Kevin L. Ash*

Date

*3-15-96*

Inventor's Name (typed)

Kevin

L.

Ash

First

Middle Initial

Family Name

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USA

Residence (City)

Grand Rapids

(State/Foreign Country)

Michigan

Post Office Address

2540 S. Winesap Court, NE

(Zip Code)

49505

10085434-022902

## SUPPLEMENTAL DECLARATION

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor, if only one name is listed below, or an original, first and joint inventor, if plural names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled ELECTROCHROMIC LAYER AND DEVICES COMPRISING SAME, the specification of which was filed on March 15, 1996, and assigned Application No. 08/616,967, and was amended on July 23, 1996 and on September 29, 1997.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office (the Office), all information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations (C.F.R.), Section 1.56.

## CLAIM OF PRIORITY

I hereby claim the benefit under 35 U.S.C. § 120, of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the above-identified specification, including claims, discloses and claims subject matter in addition to that disclosed in the prior copending application(s), listed below, I acknowledge the duty to disclose to the Office, all information which is known by me to be material to patentability as defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Serial No. 08/278,913, filed on July 22, 1994, and now issued:

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further, these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Sole or First joint inventor:

William L. Tonar 7/16/99  
 William L. Tonar Date  
 Citizenship: U.S.A.  
 Residence: 40 Cheyenne, Holland, MI 49424  
 Post Office Address: same as above

Second joint inventor:

Harlan J. Byker 7/15/99  
 Harlan J. Byker Date  
 Citizenship: U.S.A.  
 Residence: 1210 Birdie Lane, Holland, MI 49423  
 Post Office Address: same as above

Third joint inventor:

Kathy E. Roberts 7/15/99  
 Kathy E. Roberts Date  
 Citizenship: U.S.A.  
 Residence: 1061 Plymouth Ave. S.E.  
 East Grand Rapids, MI 49506  
 Post Office Address: same as above

Fourth joint inventor:

John S. Anderson 7/19/99  
 John S. Anderson Date  
 Citizenship: U.S.A.  
 Residence: 108 East 21st Street, Holland, MI 49423  
 Post Office Address: same as above

Fifth joint inventor:

Kevin L. Ash 7-16-99  
 Kevin L. Ash Date  
 Citizenship: U.S.A.  
 Residence: 2540 S. Winesap Court, N.E., Grand Rapids, MI 49525  
 Post Office Address: same as above

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CERTIFICATE OF MAILING (37 C.F.R. § 1.8)

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on or before June 18, 2001.

6/18/01  
Date

William L. King III  
William L. King III

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Tonar et al.  
Serial No. : N/A  
Examiner : Philip C. Tucker  
Group Art Unit : 1712  
Attorney Docket No. : Auto 608 C2  
Filed : June 18, 2001  
Title : ELECTROCHROMIC LAYER AND DEVICES  
COMPRISING SAME

Assistant Commissioner for Patents  
Washington, D.C. 20231

ASSOCIATE POWER OF ATTORNEY

Dear Sir:

Gentex Corporation, a Michigan corporation having a principal place of business at 600 North Centennial Street, Zeeland, Michigan 49464, as Assignee of the above-identified application, hereby additionally grants power of attorney to William L. King III (Reg. No. 46,830), Jody L. Factor (Reg. No. 34,157), Jovan N. Jovanovic (Reg. No. 40,039) and the Law Offices of Factor & Partners, LLC.

10085434-022802

Gentex Corporation certifies that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of an assignment from the inventors. The assignment was recorded in the Patent and Trademark Office on Reel 7912, Frame 0851 on March 15, 1996.

In addition, Gentex Corporation (Assignee) herein states that the evidentiary documents (the assignment) have been reviewed, and accordingly, certifies that to the best of Assignee's knowledge and belief, title is correctly in Assignee's name. Moreover, Applicant respectfully requests that all subsequent correspondence be transmitted to the following address:

William L. King III  
FACTOR & PARTNERS, LLC  
305 Hoover Boulevard, Suite 300  
Holland, Michigan 49423

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 07-1070.

Dated: 6-18-01

Brian J. Rees  
Brian J. Rees  
Reg. No. 36,648

GENTEX CORPORATION  
600 North Centennial Street  
Zeeland, Michigan 49464  
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